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**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

JUDITH P. BROACH, AS INDEPENDENT FIDUCIARY)
OF THE EXHIBITION EMPLOYEES LOCAL 829) Case No.: 22-cv-3209 (AT)
ANNUITY FUND, et al.)

Plaintiffs,) **DEFAULT**
) **JUDGMENT AND**
) **INJUNCTION**

-against-)

SHOWTIME ON THE PIERS, LLC)

Defendant.)

WHEREAS, Plaintiff commenced this action on April 19, 2022 and filed the Amended Complaint on April 21, 2022;

WHEREAS, Plaintiff served Defendant with copies of the Summons and Amended Complaint on June 2, 2022 and filed proof of said service with the Court on August 31, 2022;

WHEREAS, the Clerk of the Court issued a Certificate of Default on September 30, 2022;

WHEREAS, Plaintiff moved for Default Judgment on October 14, 2022 and later filed an Amended Affidavit in Support of Plaintiff's Motion for Default Judgment requesting both a money judgment and permanent injunctive relief on October 27, 2022;

WHEREAS, on November 18, 2022, the Court ordered the Plaintiff to serve the Order to Show Cause with supporting documents on the Defendant by December 19, 2022 and file proof of service by December 27, 2022 and ordered the Defendant to appear at a telephonic conference on March 7, 2023 to show cause why the Court should not enter a default judgment against the Defendant pursuant to Rule 55(b) of the Federal Rules of Civil Procedure;

WHEREAS, Plaintiff served the Order to Show Cause on the Defendant on December 1, 2022 and filed the Affidavit of Service on the docket on December 16, 2022;

WHEREAS, the Court adjourned the March 7, 2023 show cause hearing to April 4, 2023 and, upon the Letter Motion of the Plaintiff, further adjourned the show cause hearing to April 11, 2023;

WHEREAS, a telephonic hearing was held by the Court on April 11, 2023 and Defendant did not appear;

NOW, on the motion of O'Donoghue & O'Donoghue, LLP, attorneys for Plaintiff, it is hereby:

ORDERED, ADJUDICATED AND DECREED that Plaintiff has judgment against Showtime on the Piers, LLC, the Defendant, with their principal place of business, which, upon information and belief, is at 711 12th Avenue, #M106, New York, NY 10019 (Pier 92), as follows:

1. Judgment is ENTERED in favor of Plaintiff Judith P. Broach, as Independent Fiduciary of the Exhibition Employees Local 829 Annuity Fund against Defendant Showtime on the Piers, LLC in the amount of \$9,317.00 in unpaid contributions for the period of October 1, 2018 through and including December 31, 2019, with liquidated damages of \$1,863.40, interest calculated through April 14, 2023 in the amount of \$2,254.64, reasonable attorneys' fees in the amount of \$5,206.52 and costs in the amount of \$677.00, bringing the total judgment to \$19,318.56.

2. Defendant is hereby ENJOINED and ORDERED to remit all prospective remittance reports and contributions to the Plaintiff Fund on a timely basis and, when requested by the Plaintiff Fund, provide all requested payroll information on an equally timely basis. Plaintiff shall

be awarded additional liquidated damages and interest calculated through the date judgment is entered.

SO ORDERED.

Dated: April 24, 2023
New York, New York



Hon. Analisa Torres,
United States District Judge